

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER
COOPERATIVE, INC.,

Debtor.¹

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER
COOPERATIVE, INC.,

Plaintiff,

v.

ELECTRIC RELIABILITY COUNCIL OF
TEXAS, INC.,

Defendant.

Adv. Proc. No. 21-03863 (DRJ)

SCHEDULING ORDER

A scheduling conference was held on August 27, 2021. Under the authority of Fed. R. Bankr. P. 7016 and Fed. R. Civ. P. 16, it is hereby:

ORDERED that the following deadlines and settings shall apply in the above referenced proceeding:

EVENT	DEADLINE
File complaint and adversary proceeding	August 18, 2021
Status Conference	August 24, 2021

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

EVENT	DEADLINE
Deadline for Defendant to file Answer and motion to dismiss, abstain, or withdraw reference	September 14, 2021
Deadline to join additional parties and for parties to intervene ²	September 17, 2021
Deadline to exchange Rule 26(a)(1) initial disclosures	September 22, 2021
Deadline for Plaintiffs' Responses to any motions to dismiss, abstain, or withdraw reference	September 28, 2021
Deadline for ERCOT to substantially complete document production³	September 30, 2021
Deadline for Plaintiffs' Responses to any motion to intervene	October 4, 2021
Deadline for Defendant's & Intervenor's Replies in support of motions to dismiss, abstain, or withdraw reference	October 5, 2021
<u>Deadline to file motion to seek leave to amend the pleadings</u>	<u>October 5, 2021</u>
Deadline for Defendant's & Intervenor's Replies in support of motions intervene	October 11, 2021
Hearing on motions to dismiss, abstain, withdraw reference, or intervention	October __, 2021
All fact discovery shall be completed	November 23, 2021
Initial disclosure of experts the parties intend to call in their case in chief as required by Fed. R. Civ. P. 26(a)(2), including disclosure of	December 9, 2021

² The Parties agree that the Public Utility Commission of Texas may file a motion seeking leave to intervene after this deadline, and all Parties reserve the right to contest the intervention.

~~³ This deadline shall apply to documents responsive to the Official Committee of Unsecured Creditors' Rule 2004 Requests and the Debtor's First Requests for Production served on July 29, 2021.~~

EVENT	DEADLINE
expert reports	
Disclosure of any rebuttal experts as required by Fed. R. Civ. P. 26(a)(2), including disclosure of expert reports	January 6, 2022
Deadline to file motions for summary judgment ⁴³	January 6, 2022
Pretrial disclosures pursuant to Fed. R. Civ. P. 26(a)(3)	January 25, 2022
Deadline to complete expert discovery	January 28, 2022
Objections to pretrial disclosures pursuant to Fed R. Civ. P. 26(a)(3)	February 8, 2022
Joint Pretrial Statement	February 11, 2022
Pretrial hearing	February 15, 2022
Trial	February 21-25, 2022

IT IS SO ORDERED.

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

⁴³ Responses to motions for summary judgment shall be filed within ~~14~~21 days, and replies shall be filed within 7 days of any response. The Parties agree that motions may be filed with respect to certain issues ~~at any time prior to the deadline, and that the filing of a motion on a discrete issue shall not preclude a party from filing subsequent motions on other issues and counts, provided however that no Party may file more than 3 separate~~between the Court's hearing on any motion to dismiss, abstain, withdraw reference, on intervention and the deadline to file motions ~~without~~for summary judgment. Without leave of Court or consent of the ~~opposing Party~~Parties, neither Plaintiffs nor Defendant/Intervenors may file more than two motions for summary judgment.

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